

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

----- x
ALAN BROWN, : Case No. 05 Civ. 11178 (NG)
: Plaintiff,
: -against-
STATE STREET CORPORATION :
and STATE STREET GLOBAL :
ADVISORS, :
: Defendants.
----- x

**DEFENDANTS' MOTION TO
STRIKE PARAGRAPHS 2, 3
AND 4 OF THE AFFIDAVIT
OF ALAN BROWN**

Defendants, State Street Corporation and State Street Global Advisors (collectively, "Defendants"), respectfully move to strike Paragraphs 2, 3 and 4 of the affidavit of plaintiff Alan Brown dated October 20, 2006 (D.E. 61-2) (Plaintiff's Supplemental Exhibit 1). The grounds for this motion are set forth in Defendants' accompanying memorandum of law.

Dated: New York, New York
November 30, 2006

Respectfully submitted,

QUINN EMANUEL URQUHART
OLIVER & HEDGES, LLP

By: /s/ Peter Calamari

Peter E. Calamari (*Pro Hac Vice*)
Rex Lee (*Pro Hac Vice*)

51 Madison Avenue, 22nd Floor
New York, New York 10010
(212) 849-7000

HARE & CHAFFIN

By: /s/ David B. Chaffin

David B. Chaffin
BBO No. 549245

160 Federal Street
Boston, MA 02110
(610) 330-5000

*Attorneys for Defendants
State Street Corporation
and State Street Global Advisors*

CERTIFICATION OF CONSULTATION

Pursuant to Rule 7.1(a)(2) of the Local Rules of this Court, I certify that counsel have attempted to confer in good faith to resolve or narrow the issues presented by this motion but have been unable to do so.

/s/ Rex Lee

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on November 30, 2006.

/s/ Rex Lee